

REMARKS

The Office Action mailed March 10, 2009 has been reviewed and reconsideration of the above-identified application in view of the following amendments and remarks is respectfully requested

Claims 1-28 are pending.

Claims 1-18 and 21-28 stand rejected.

Claims 1, 23, 24, 27 and 28 are independent claims.

Claims 19 and 20 are objected to but would be allowable if rewritten in independent form.

Claims 1, 13, 21, 23, 24 and 27 have been amended. Claims 19 and 20 have been cancelled without prejudice.

Claims 1-8, 12, 13, 16-18 and 21-28 stand rejected under 35 USC 103(a) as being unpatentable over Berge (USP no. 6, 369, 954) in view of Mitani (USP no. 5, 612, 085). Claims 9-11, 14 and 15 stand rejected under 35 USC 103(a) as being unpatentable over Berge in view of Mitani and further in view of Bartels (USP no. 6, 473, 543).

Claims 19 and 20 are objected to but would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 19 and 20 and has amended independent claims 1, 23, 24, 27 and 28 to include the subject matter of claims 19 and 20.

Applicant submits that for the amendments made to the independent claims, these claims are in a form consistent with the indication of allowable subject matter and, hence, the independent claims are in allowable form.

With regard to the remaining claims, these claims depend from the independent claims and, hence, are also allowable by virtue of their dependency upon an allowable base claim.

With regard to the rejection of the claims under 35 USC 103, applicant submits that for the amendments made to the claims, which are consistent with the indication of allowable subject matter, the reason for the rejection is no longer applicable.

Applicant respectfully requests that the rejection be withdrawn.

For the amendments made to the claims and the remarks made herein, applicant submits that all the claims are in allowable form and respectfully requests that a Notice of Allowance be issued.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,

Michael E. Belk, Reg.No. 33357

Date: May 3, 2009

/Carl A. Giordano/

By: Carl A. Giordano
Attorney for Applicant
Registration No. 41,780

Mail all correspondence to:

Michael E. Belk, Esq.
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9643
Fax: (914) 332-0615

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being

☐ Transmitted by facsimile to 571 273 8300;

☐ Placed with the US Postal Service with First Class postage attached to the address indicated above;
on May _____, 2009.

Print Name

Signature